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OPINION

Italy's troubled justice system — Agca's 'Bulgarian connection'

By Spencer DiScala

NOW that the Agca "Trial of the Century" has taken a leisurely summer recess, we may reflect how national justice systems have profound international consequences in our shrunken world.

Mehmet Ali Agca's 1981 assassination attempt against the Pope soured Italian-Bulgarian relations and led to press portrayal of a Soviet Union as the manipulator of world terrorism. Western audiences welcomed this portrait as willingly as Eastern-bloc citizens and sympathizers discover CIA machinations behind every negative event.

While the world press has reported the daily debate between Agca and his judges, weighing every statement for its possible veracity, it has ignored the national context in which the drama has unfolded.

Much of the wild speculation and confusion regarding Agca's possible activities reflect the Italian justice system's nature.

In a country historically insensitive to civil rights, Italian television reporters freely proclaim suspects guilty before a trial, prisoners routinely wait years for trials, judges debate with defendants, magistrates compete according to different political persuasions, and respected newspapers print startling headlines such as, "The Brute of Florence has been arrested."

In Italy, contradictions and dramatic reversals in sensational cases such as the papal plot are normal.

In 1969 a bomb exploded in a Milan bank, killing 14. Conditioned to chasing anarchists in bombings, the police arrested several of them. One "fell" from a window of the police station to his death, and the other, Pietro Valpreda, languished in jail for almost five years while the police gathered evidence against him. Angered at the lengthy delay, the parliament passed a law stipulating that an accused person could not be held in jail without a trial for longer than Valpreda. In the meantime, the police — of which there are several competing corps with complete freedom to cut a good figure — had arrested two Neo-Fascists but had to release them because they could not produce the evidence within the time limit.

At a loss for a logical explanation, prosecutors tried both anarchists and Neo-Fascists in the bombing, but it then appeared that the Italian intelligence services had a hand in the explosion for political reasons.

Sixteen years have passed, no one was found

guilty, and the state is still working on the case.

As a result of terrorism, the state instituted preventive detention for up to 10 years and eight months. The result: prisons overcrowded with a large proportion of the inmates awaiting trial.

Italian officials arrest first and ask questions later — much later. Thus a drug dealer accused Enzo Tortora, a well-known television personality, of dealing drugs, and the prosecutor held him for two years while he searched for evidence against him. Tortora had to take his case to the European Parliament in order to have a trial.

In November 1982 the police arrested Serghei Ivanov Antonov, who Agca denounced in the conspiracy against John Paul II. While the Bulgarian waited in jail for two years, Italian officials and the press speculated on every aspect of his case, up to and including whether Agca really got Antonov's telephone number from the telephone book.

In seeking to break the Mafia, Italian magistrates have conducted mass arrests solely on the word of "pentiti," who they encourage to name names with the promise of lighter sentences. The persons thus accused are then arrested and kept in jail while officials conduct a lengthy hunt for evidence.

It is, therefore, hardly surprising that Italian officials would accept Agca's testimony with practically no independent corroborating evidence. Numerous examples exist of these officials accepting conspiracy theories, usually of a wildly conflicting nature, conducting arrests, and then searching for evidence which turns out to be unconvincing.

The latest example is the Sismi scandal, the much-reorganized Italian intelligence service. In investigating an attempted train bombing, Italian officials accused German Neo-Nazis, but now charge Sismi involvement. According to the press, Sismi also engineered the "Billygate" scandal during the Carter administration in collaboration with an American historian close to Henry Kissinger and Francesco Pazienza, a former Sismi operative and current manipulator of Italian life.

Not surprisingly, the Agca case has taken a similar turn. In an amazing tour de force, a Neapolitan organized crime figure has linked up Agca, the Italian right wing, Sismi, and P-2, a renegade Masonic lodge.

It's great fun if you're not waiting for a trial in Italy.

Spencer DiScala is associate professor of history at the University of Massachusetts, Boston.

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Suspect on Trial in Rome May Aid Turkish Inquiry

By JOHN TAGLIABUE

Special to The New York Times

ANKARA, Turkey — Officials here say they believe the return to this country of a Turk suspected of being a racketeer may cast further light on the operations of international smuggling rings that, the Turkish officials say, use Bulgaria as a base.

The smuggling rings are believed to be involved in shipping narcotics to Western countries and shipping arms and munitions to extremist organizations in Turkey and the Middle East.

The Turkish suspect, Bekir Celenk, is being tried in absentia in Rome. The other defendants are three Bulgarians and four other Turks, including Mehmet Ali Agca, the convicted assailant of Pope John Paul II. All eight are accused of conspiring to kill the Pope, and Mr. Agca is the star prosecution witness. The implication of the prosecution's case been that the Soviet Union, through the Bulgarian secret service, was involved in hatching the purported plot to kill the Pope.

Mr. Celenk has denied any involvement in such a plot, as have all of the others except Mr. Agca.

Mr. Agca has asserted that Mr. Celenk acted as intermediary for a Soviet diplomat and offered Mr. Agca \$1.2 million to assassinate the Pope. But Turkish investigators and justice officials in European countries said they had no evidence directly linking Mr. Celenk with Mr. Agca.

Indirect Evidence at Best

The evidence tying Mr. Celenk to gun and drug rings to which Mr. Agca and some of his accomplices also belonged is at best indirect or circumstantial, investigators said.

Turkish officials interviewed recently said Mr. Celenk might face hearings in Turkey on his purported role in the shooting of the Pope. They said their own charges against him involved allegations by investigators in several countries, including Turkey, Italy and the United States, that he was a central figure in an international drug and arms ring that was broken in the late 1970's.

In December 1982, an Italian investigating magistrate, Carlo Palermo, issued an arrest order for Mr. Celenk, accusing him of involvement in a major international drugs-for-arms smuggling ring that purportedly shipped Middle Eastern opium and heroin to the West in exchange for arms to be shipped to Turkey and the Middle East.

Judge Palermo and Turkish officials assisting him have accused Bulgaria of offering the smugglers considerable logistical aid, including the use of warehouses and shipping outlets, through the Bulgarian state-owned trading and shipping company, Kintex.

The ring shipped about two and a half tons of raw opium and heroin from Iran for sale in the West, investigators say. They said the profits were reinvested in arms and munitions that were then delivered to extremist groups in Turkey, Lebanon, Iran and other Middle Eastern countries.

Convictions by Swiss Court

In May, a court in Basel, Switzerland, convicted three Turks, including Mehmet Sener, a close associate of Mr. Agca, on drug-trafficking charges. Though Swiss officials said they had strong evidence that the drug ring included Abdullah Catli and Oral Celik, who are former associates of Mr. Agca, they said they had no evidence directly linking these men with Mr. Celenk.

The arrests and investigations have produced findings that could lend credence to two competing views of the purported conspiracy to kill the Pope.

On the one hand, the investigations have found strong links between drug and arms rings and Bulgarian Government agencies. This supports the basic contention of the prosecution in the Rome trial that Mr. Celenk was the go-between who linked Soviet bloc intelligence services and Mr. Agca.

But the investigations have also found a close-knit group of right-wing Turkish nationalists, of which Mr. Agca says he was once a member, if not its leader. This group seeks to wrest Turkey and its largely Moslem population from what it perceives to be undue Western and Christian influence.

Although Mr. Agca has asserted that associates who include Mr. Celik, one of the five Turkish defendants in the Rome trial, received the equivalent of \$1.2 million for the shooting of the Pope, officials say this group operates without evident Bulgarian support. They also say its members, most of them fugitives, rely on the help of right-wing Turks in Western Europe to escape arrest.

Mr. Celenk, 50, was under house ar-

rest in Bulgaria until July 7, when Bulgarian officials unexpectedly sent him home to Turkey, saying they lacked proof he was involved in a conspiracy against the Pope.

Arrest in Turkey

Five days after his release, Mr. Celenk was formally arrested by the Turkish authorities. Drug enforcement officials in Ankara said most of the charges were linked to investigations by the Italian magistrate, Judge Palermo, who twice sought the extradition of Mr. Celenk from Bulgaria on charges of smuggling drugs and arms.

Mr. Celenk, who traveled throughout Western and Eastern Europe after leaving Turkey in 1960, settled in Switzerland in 1969, setting up a small watch trading company called Ovaras S.A. in the Swiss watchmaking center of Biel.

Swiss drug investigators in Basel said that the police began linking Mr. Celenk's name with drug trafficking in the early 1960's and that they later suspected him of using Ovaras and its Swiss bank accounts to hide drug profits.

Seref Benli, one of the men convicted in Basel with Mr. Sener, is a currency-exchange dealer who Swiss officials suspect offered his services to associates of Mr. Celenk, who remained in Switzerland to look after his business interests.

Moreover, Nevzat Bilecen, a Turk who was the prosecution's chief witness in the trial against Mr. Sener, described to Swiss investigators how he accompanied Oral Celik on trips throughout Switzerland to deliver goods, like forged passports, to Turkish racketeers with ties to the smuggling rings operating out of Bulgaria.